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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,454	01/10/2001	Narendra K. Gupta	2000-0163	8135

7590

06/18/2004

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Springtown, PA 18081

EXAMINER
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PHAN, JOSEPH T

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/757,454

Applicant(s)

GUPTA ET AL

Examiner

Joseph T Phan

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 April 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-5, 7-14, and 16 is/are rejected.  
7) ☒ Claim(s) 6 and 15 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-5, 7-14, and 16 rejected under 35 U.S.C. 102(b) as being anticipated by Barkat et al., Patent #5,805,672.**

Regarding claim 1, Barkat teaches a voice-operated arrangement for interacting with a dual-tone multifrequency (DTMF)-controlled system, the arrangement comprising:  
a speech recognition unit responsive to voice commands from a user and generating a digital signal representative of a particular received voice command (16 Fig.1 and col.4 lines 20)

a speech-to-DTMF tones application, responsive to the digital signal outputs from the speech recognition unit for accessing a proper user record from a plurality of user records (col.3 lines 34-51 and col.4 lines 8-54)

retrieving dial-out information for a DTMF-controlled system associated with the user and completing a communication path between the user and said associated DTMF-controlled system, wherein said voice-operated arrangement monitors the communication path and retrieves predetermined voice commands uttered by the user and translates said predetermined voice prompts into DTMF tones which are thereafter

transmitted to said associated DTMF-controlled system (col.5 lines 10-30; Barkat's software application within voice recognition unit 16 of Fig.1 is the 'speech-to-DTMF tones application' and his cellular phone 12 of Fig.1 is the 'DTMF-controlled system', therefore the claimed invention can be read on Barkat).

Regarding claims 2 and 3, Barkat teaches the arrangement as defined in claim 1 wherein each user record includes a spoken voice identification field(col.4 lines 46-67)

Regarding claim 4, Barkat teaches the arrangement as defined in claim 1 wherein a plurality of different DTMF-controlled systems are associated with a user and the user record comprises a plurality of different fields for each DTMF-controlled system of said plurality of DTMF-controlled systems (*col.4 lines 8-67*)

Regarding claim 5, Barkat teaches the arrangement as defined in claim 4 wherein the plurality of different fields for each DTMF-controlled system of the plurality of DTMF-controlled systems in a user record comprises a dial-out access number for each DTMF-controlled system and a mapping of a plurality of voice commands to an associated plurality of DTMF tone sequences (*col.5 lines 6-67*)

Regarding claim 7, Barkat teaches the arrangement as defined in claim 1 wherein at least one DMTF-controlled is a voice messaging system (*col.5 lines 6-67*)

Regarding claim 8, Barkat teaches a method for interacting with at least one DTMF-controlled telecommunications system, the method comprising the steps of:

- a) accessing, by a user, a speech-to-DTMF tone application(col.1 lines 56-63);
- b) retrieving a proper user record for the user identified in step a) (*col.4 lines 8-67*)

c) dialing out, by the application, to a DTMF-controlled system included in the user record retrieved in step b) (col.5 lines 6-67).

d) bridging together the call between the user and the application and the call between the application and the DTMF-controlled system (col.5 lines 6-67).

e) in response to predefined voice commands uttered by the user and received by the speech-to-DTMF tone application, translating said voice commands into one or more DTMF tones accepted as commands by the DTMF-controlled system; and

f) transmitting said translated DTMF tone commands from the speech-to-DTMF tone application to the DTMF-controlled system (col.5 lines 6-67;

***(Barkat's software application within voice recognition unit 16 of Fig.1 is the 'speech-to-DTMF tones application' and his cellular phone 12 of Fig.1 is the 'DTMF-controlled system', therefore the claimed invention can be read on Barkat).***

Regarding claim 9, Barkat teaches the method as defined in claim 8 wherein in performing step a), the method comprises the additional step of authorizing a user by requesting and validating a spoken user password (col.3 lines 34-51)

Regarding claim 10, Barkat teaches the method as defined in claim 8 wherein the method is used for retrieving messages from a plurality of different messaging systems associated with a single user, the method comprising the further steps of g) querying the user record for additional DTMF-controlled system fields; and  
h) repeating steps c) - f) for each additional DTMF-controlled system (col.4 line 8-col.5 line 67).

Regarding claim 11, Barkat teaches a method for enabling a user to interact with a DTMF-controlled system via voice commands, the method comprising:

a) accessing a user record from a plurality of user records, the user record including dial-out information associated with DTMF-controlled systems(col.1 lines 56-63 and col.4 lines 8-67);

b) receiving user access through a speech-to-DTMF tone application, the receiver access being accomplished by automatically dialing a number associated with a DTMF-controlled system from the accessed user record (col.4 lines 8-67 and col.5 lines 6-67);

c) establishing a communication link between the speech-to-DTMF tone application and a DTMF-controlled system (col.5 lines 6-67).

d) bridging, via the speech-to-DTMF tone application, communication between the user and the DTMF-controlled system(col.5 lines 6-67); and

e) translating a received voice command from the user into a DTMF tone for use by the DTMF-controlled system (col.5 lines 6-67;

**Barkat's software application within voice recognition unit 16 of Fig.1 is the 'speech-to-DTMF tones application' and his cellular phone 12 of Fig.1 is the 'DTMF-controlled system', therefore the claimed invention can be read on Barkat).**

Regarding claim 12, Barkat teaches the method of claim 11, wherein the DTMF-controlled system listed in the user record is associated with the user(col.4 lines 8-67 and col.5 lines 6-67).

Regarding claim 13, see Barkat col.5 lines 6-67.

Regarding claim 14, see Barkat col.3 lines 34-51(user access via a spoken password).

Regarding claim 16, see Barkat\_(col.4 line 8-col.5 line 67).

***Allowable Subject Matter***

2. Claims 6 and 15 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1-5, 7-14, and 16 have been considered but are moot in view of the new ground(s) of rejection.

Examiner reads Barkat's software application within his voice recognition unit 16 of Fig.1 as the 'speech-to-DTMF tones application' and Barkat's cellular phone 12 of Fig.1 is read as the 'DTMF-controlled system', therefore the claimed invention can be read on Barkat).

***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T Phan whose telephone number is 703-305-3206. The examiner can normally be reached on M-TH 9:30-6:30, in every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

JTP  
June 10, 2004



FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

